



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 4933-99
9 November 1999

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 19 October 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

1160
PERS-815
19 Oct 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 27 Jul 99
(b) MILPERSMAN 1160-100
(c) MILPERSMAN 1510-020

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.

- Petitioner received a STAR approval by PERS-255(815) on 16 Oct 1997 for non-specific "C" school training. Petitioner was advised that he would receive 2M MINIATURE REPAIR TECH (NEC 9527) "C" school training.

- Petitioner reenlisted for six years on 7 Jan 1998 under the benefits of the STAR program and received a zone "A" SRB entitlement for the ETSS rate.

- Petitioner accepted orders to SSN ESM EQUIPMENT MAINTENANCE TECH (NEC 14EM). Per references (b) and (c) NEC 14EM was not on the Career Schools List (CSL) at the time that petitioner reenlisted. Petitioner completed NEC 14EM training on 6 Aug 1999. Reference (d) released on 9 Jul 1998 added NEC 14EM to the CSL.

- Petitioner requests to receive the automatic advancement to paygrade E5 for NEC 14EM because he was advised that NEC 14EM was listed on the CSL.

- Per references (b) and (c), automatic advancement under the STAR program is not a guarantee. Automatic advancement eligibility is based on the Career Schools List in effect on the date of reenlistment. NEC 14EM was listed on the CSL after petitioner reenlisted for the STAR program, therefore petitioner is ineligible to receive automatic advancement.

2. In view of the above, recommend petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

A handwritten signature in black ink, appearing to read 'S. R. Christy', with a long horizontal stroke extending to the right.

S. R. CHRISTY
Head, Reenlistment
Incentives Branch